

拒絶理由通知書整理番号 200509892

発送番号 453206

発送日 平成17年12月 2日

拒絶理由通知書

特許出願の番号

起案日

特許庁審査官

特許出願人代理人

適用条文

特願2005-301286

平成17年11月29日

島▲崎▼ 純一

中尾 俊介 様

第29条第2項

9107 2C00

この出願は、次の理由によって拒絶をすべきものである。これについて意見があれば、この通知書の発送の日から60日以内に意見書を提出して下さい。

### 理 由

この出願の下記の請求項に係る発明は、その出願前日本国内又は外国において頒布された下記の特許公報に記載された発明又は電気通信回線を通じて公衆に利用可能となった発明に基いて、その出願前にその発明の属する技術の分野における通常の知識を有する者が容易に発明をすることができたものであるから、特許法第29条第2項の規定により特許を受けることができない。

### 記

1. 実願昭60-51289号（実開昭61-167655号）のマイクロフィルム
2. 特開平6-195007号公報
3. 特開平5-323781号公報
4. 特開平1-166060号公報
5. 特開昭64-31173号公報
6. 特開2001-100488号公報
7. 特開平5-100576号公報
8. 特開2001-75449号公報
9. 特開平11-38791号公報
10. 特開2000-221799号公報
11. 特開平5-212857号公報
12. 特開平10-39557号公報
13. 特開2001-75329号公報
14. 特開平11-109706号公報
15. 特開平7-261496号公報
16. 特開2000-181142号公報
17. 特開2000-3117号公報
18. 特開平11-133696号公報

「請求項1, 3について：引用例1～5」

この出願の請求項1, 2に係る発明と引用例1記載の発明とを対比すると、請求項1, 2に係る発明では現像装置が現像部とその現像部より低い位置に設けられた攪拌部により構成されているのに対し、引用例1記載の発明では現像部と攪拌部の高さは略等しい点、請求項1, 2に係る発明では現像装置の攪拌部上に他方の作像手段のクリーニング装置が縦に重ねて設けられているのに対し、引用例1記載の発明では現像装置の攪拌部の下に他方の作像手段のクリーニング装置が縦に重ねて設けられている点、請求項1, 2に係る発明で発明ではベルト状中間転写体を用いているのに対し、引用例1記載の発明では中間転写体は用いていない点で相違する。

前記相違点について検討するに、現像部とその現像部より低い位置に設けられた攪拌部により構成されている現像装置は引用例2, 3記載のごとく周知である。また、現像装置の上に他方の作像手段のクリーニング装置が縦に重ねて設けられている技術も引用例4, 5記載のごとく周知である。引用例4, 5記載の技術においては攪拌部は明記されていないが、現像装置全体の上にクリーニング装置が位置していることから、攪拌部の上にクリーニング装置が位置していることは自明である。また、中間転写体を採用するか否かは単なる設計的事項に過ぎない。そして、該引用例2～5記載の技術を引用例1記載の発明に適用することに格別の困難さはない。

「請求項2について：引用例1～6」

引用例6参照。

なお、該請求項に係る発明はこの出願の優先権の元となる出願である特願2000-279143号の最初に添付した明細書又は図面に一切記載されていないため、分割出願の元となる特願20001-119381号が出願された日に出願されたものとして審査を行った。

「請求項4について：引用例1～7」

引用例7参照。

「請求項5について：引用例1～8」

引用例8図面第1図参照。

なお、該請求項に係る発明はこの出願の優先権の元となる出願である特願2000-279143号の最初に添付した明細書又は図面に一切記載されていないため、分割出願の元となる特願20001-119381号が出願された日に出願されたものとして審査を行った。

「請求項6、7について：引用例1～9」

引用例9公報段落番号【0020】及び図面第2図参照。

「請求項8について：引用例1～10」

引用例10公報段落番号【0074】参照。

「請求項9について：引用例1～10」

単なる設計的事項に過ぎない。

「請求項10、11について：引用例1～11」

引用例11参照。

「請求項12、13について：引用例12」

引用例12公報図面第5図参照。

「請求項14～17について：引用例1～5、13」

レジストローラ、転写材検知センサを設けることは引用例13に記載ごとく一般に行われており、転写材が転写位置に到達するタイミングを画像形成動作完了タイミングに合うように制御することは当業者が当然に考慮すべき事項に過ぎない。

なお、該請求項に係る発明はこの出願の優先権の元となる出願である特願2000-279143号の最初に添付した明細書又は図面に一切記載されていないため、分割出願の元となる特願20001-119381号が出願された日に出願されたものとして審査を行った。

「請求項18について：引用例1～5、13、14」

引用例14公報段落番号【0021】参照

「請求項19について：引用例1～5」

引用例1参照。

「請求項20について：引用例1～5、15」

引用例15参照。

「請求項21について：引用例1～5」

単なる設計的事項に過ぎない。

「請求項22について：引用例1～5」

引用例2参照。

「請求項23について：引用例1～5、16」

引用例16公報段落番号【0025】参照。

「請求項24について：引用例1～5、17」

引用例17参照。

「請求項25について：引用例1～5、17、18」

引用例18公報段落番号【0050】【0055】参照。

「請求項26について：引用例1～6」

引用例6公報段落番号【0018】参照。

「請求項27について：引用例1～5、15」

引用例15参照。

「請求項28について：引用例1～5、12」

引用例12公報図面第4図参照。

#### 先行技術文献調査結果の記録

・調査した分野      I P C第7版  
                          G 0 3 G 1 5 / 0 1 ~ 1 5 / 0 1    1 1 7  
                          G 0 3 G 1 5 / 1 6  
                          G 0 3 G 2 1 / 1 0  
                          G 0 3 G 2 1 / 1 4  
                          G 0 3 G 2 1 / 0 0    3 7 0

この先行技術文献調査結果の記録は、拒絶理由を構成するものではない。

この拒絶理由通知書についての問い合わせ、本出願についての面接の希望等があれば、以下に連絡されたい。

特許庁 特許審査第一部 事務機器 島崎 純一

TEL 03-3581-1101 (代表)

FAX 03-3580-6902

Reference No. 200509892  
Dispatch No. 453206  
Dispatch Date: December 2, 2005

### **Notification of Reason for Refusal**

Patent Application No.	2005-301286
Drafting Date	November 29, 2005
JPO Examiner	Junichi SHIMAZAKI 9107 2C00
Agent / Applicant	Shunsuke NAKAO
Applied Provision	Patent Law Section 29(2)

This application is refused for the reason mentioned below. If the applicant has any argument against the reason, such argument should be submitted within 60 days from the date on which this notification was dispatched.

#### **Reason**

The invention in the claims noted below of the subject application is unpatentable under Patent Law Section 29(2) since it could have been easily made by persons who have common knowledge in the technical field to which the invention pertains, on the basis of the inventions described in the publications below which were distributed or made accessible to the public through electric communication network prior to the filing of the subject application in Japan or other countries.

#### **Note**

1. Japanese Utility Model Application No. S60-51289  
(Japanese Unexamined Utility Model Application  
Publication No. S61-167655) (Microfilm)
2. Japanese Unexamined Patent Application Publication No.

H6-195007

3. Japanese Unexamined Patent Application Publication No.  
H5-323781
4. Japanese Unexamined Patent Application Publication No.  
H1-166060
5. Japanese Unexamined Patent Application Publication No.  
S64-31173
6. Japanese Unexamined Patent Application Publication No.  
2001-100488
7. Japanese Unexamined Patent Application Publication No.  
H5-100576
8. Japanese Unexamined Patent Application Publication No.  
2001-75449
9. Japanese Unexamined Patent Application Publication No.  
H11-38791
10. Japanese Unexamined Patent Application Publication No.  
2000-221799
11. Japanese Unexamined Patent Application Publication No.  
H5-212857
12. Japanese Unexamined Patent Application Publication No.  
H10-39557
13. Japanese Unexamined Patent Application Publication No.  
2001-75329
14. Japanese Unexamined Patent Application Publication No.  
H11-109706
15. Japanese Unexamined Patent Application Publication No.  
H7-261496
16. Japanese Unexamined Patent Application Publication No.  
2000-181142
17. Japanese Unexamined Patent Application Publication No.  
2000-3117
18. Japanese Unexamined Patent Application Publication No.  
H11-133696

(Claims 1 and 3: Cited Documents 1 to 5)

The inventions according to Claims 1 and 2 of the present application are compared below with the inventions described in Cited Document 1. According to the inventions of Claims 1 and 2 of the present application, the development device includes the development unit and the mixing unit placed at a lower position than the development unit. Meanwhile, according to the inventions described in Cited Document 1, the development unit is at an approximately equal level to the mixing unit. Further, according to the inventions of Claims 1 and 2 of the present application, the cleaning device included in one image forming means vertically overhangs the mixing unit of the development device included in another image forming means. Meanwhile, according to the inventions described in Cited Document 1, the mixing unit of the development device included in one image forming means vertically overhangs the cleaning device included in another image forming means. Furthermore, the inventions according to Claims 1 and 2 of the present application use the belt-shaped intermediate transfer member, while the inventions described in Cited Document 1 do not use an intermediate transfer member. The inventions according to Claims 1 and 2 of the present application are different from the inventions described in Cited Document 1 in the above points.

In reviewing the differences described above, the development device including the development unit and the mixing unit placed at the lower position than the development unit is well known, as described in Cited Documents 2 and 3. Further, the technique of placing the cleaning device included in one image forming means so as to vertically overhang the development device included in another image forming means is well known, as described in Cited Documents 4 and 5. Cited Documents 4 and 5 do not specify the mixing unit. However, the cleaning device is

positioned above the entire development device, and therefore, it is obvious that the cleaning device is positioned above the mixing unit. Furthermore, whether or not to use the intermediate transfer member is merely a matter of design choice. Moreover, there is no particular difficulty in applying the techniques described in Cited Documents 2 to 5 to the inventions described in Cited Document 1.

(Claim 2: Cited Documents 1 to 6)

Cited Document 6 should be referred to.

The invention according to the present claim is not described at all in the specification or the drawings initially attached to the Patent Application No. 2000-279143, i.e., the application from which priority is claimed in the present application. Therefore, the present application was examined under the premises that the present application was submitted on the filing date of the Patent Application No. 2001-119381, i.e., the parent application of the divisional application.

(Claim 4: Cited Documents 1 to 7)

Cited Document 7 should be referred to.

(Claim 5: Cited Documents 1 to 8)

Figure 1 of Cited Document 8 should be referred to.

The invention according to the present claim is not described at all in the specification or the drawings initially attached to the Patent Application No. 2000-279143, i.e., the application from which priority is claimed in the present application. Therefore, the present application was examined under the premises that the present application was submitted on the filing date of the Patent Application No. 2001-119381, i.e., the parent application of the divisional application.

(Claims 6 and 7: Cited Documents 1 to 9)

The Paragraph No. [0020] and Figure 2 of Cited Document 9 should be referred to.

(Claim 8: Cited Documents 1 to 10)

The Paragraph No. [0074] of Cited Document 10 should be referred to.

(Claim 9: Cited Documents 1 to 10)

What is claimed in Claim 9 is merely a matter of design choice.

(Claims 10 and 11: Cited Documents 1 to 11)

Cited Document 11 should be referred to.

(Claims 12 and 13: Cited Document 12)

Figure 5 of Cited Document 12 should be referred to.

(Claims 14 and 17: Cited Documents 1 to 5 and 13)

Providing the registration roller and the transfer medium detection sensor is a common practice, as described in Cited Document 13. Further, controlling timing of arrival of the transfer medium at the transfer position so as to match timing of completion of the image forming operation is merely a matter a person skilled in the art should naturally consider.

The inventions according to the present claims are not described at all in the specification or the drawings initially attached to the Patent Application No. 2000-279143, i.e., the application from which priority is claimed in the present application. Therefore, the present application was examined under the premises that the present application was submitted on the filing date of the Patent Application No. 2001-119381, i.e., the parent application of the divisional



application.

(Claim 18: Cited Documents 1 to 5, 13, and 14)

The Paragraph No. [0021] of Cited Document 14 should be referred to.

(Claim 19: Cited Documents 1 to 5)

Cited Document 1 should be referred to.

(Claim 20: Cited Documents 1 to 5 and 15)

Cited Document 15 should be referred to.

(Claim 21: Cited Documents 1 to 5)

What is claimed in the present claim is merely a matter of design choice.

(Claim 22: Cited Documents 1 to 5)

Cited Document 2 should be referred to.

(Claim 23: Cited Documents 1 to 5 and 16)

The Paragraph No. [0025] of Cited Document 16 should be referred to.

(Claim 24: Cited Documents 1 to 5 and 17)

Cited Document 17 should be referred to.

(Claim 25: Cited Documents 1 to 5, 17, and 18)

The Paragraph Nos. [0050] and [0055] of Cited Document 18 should be referred to.

(Claim 26: Cited Documents 1 to 6)

The Paragraph No. [0018] of Cited Document 6 should be referred to.

(Claim 27: Cited Documents 1 to 5 and 15)

Cited Document 15 should be referred to.

(Claim 28: Cited Documents 1 to 5 and 12)

Figure 4 of Cited Document 12 should be referred to.

-----  
Record of the results of prior art search

Technical fields searched:

IPC 7th Edition

G03G15/01~15/01 117

G03G15/16

G03G21/10

G03G21/14

G03G21/00 370

This record of the results of prior art search does not constitute the reason for refusal.

-----  
For any inquiries on the Notification of Reason for Refusal, a request for an examiner interview concerning the present application, and so forth, please contact the following:

Junichi SHIMAZAKI

Business Equipment Division, First Patent Examination  
Department, Japan Patent Office

TEL:03-3581-1101 (Main)

FAX:03-3580-6902